

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 544

October 27, 1995, 6:50 p.m.
Page S-16026 Temp. Record

BALANCED BUDGET RECONCILIATION/Debate Time Extension

SUBJECT: Balanced Budget Reconciliation Act of 1995 . . . S. 1357. Exon motion to waive section 313(b)(1)(A) of the Budget Act for the consideration of the Byrd/Dorgan amendment No. 2942.

ACTION: MOTION REJECTED, 47-52

SYNOPSIS: As reported, S. 1357, the Balanced Budget Reconciliation Act of 1995, will result in a balanced budget in seven years, as scored by the Congressional Budget Office (CBO). The bill will also provide a \$245 billion middle-class tax cut, \$141.4 billion of which will be to provide a \$500 per child tax credit.

The Byrd/Dorgan amendment would amend the Budget Act to permit in the Senate 50 hours of debate on a reconciliation bill (instead of 20 hours) and to permit in the Senate 20 hours of debate on a conference report to a reconciliation bill (instead of 10 hours).

The amendment was offered after all debate time had expired. However, by unanimous consent, 1 minute of debate was allowed on the amendment. Following debate, Senator Domenici raised the point of order that the Byrd amendment violated the Byrd Rule (section 313(b)(1)(A)) of the Budget Act. Senator Exon then moved to waive that section for the consideration of the Byrd amendment.

NOTE: A three-fifths majority (60) vote of the Senate is required to waive section 313(b)(1)(A) of the Budget Act. Following the failure of the motion to waive, the point of order was upheld and the amendment thus fell.

Those favoring the motion to waive contended:

We know of no legal or constitutional reason why the Senate has to pass a reconciliation bill. It may have some budgetary consequences if it does not. However, if it is going to proceed, it should proceed with due deliberation. A bill of this magnitude cannot be properly considered in a 20-hour timeframe. When we first devised the reconciliation procedure we never imagined that it would be used to bring together disparate pieces of major legislation into one omnibus bill on which debate would be limited. We

(See other side)

YEAS (47)			NAYS (52)		NOT VOTING (0)	
Republicans (1 or 2%)	Democrats (46 or 100%)		Republicans (52 or 98%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Jeffords	Akaka	Inouye	Abraham	Helms	EXPLANATION OF ABSENCE: 1—Official Buisiness 2—Necessarily Absent 3—Illness 4—Other SYMBOLS: AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	
	Baucus	Johnston	Ashcroft	Hutchison		
	Biden	Kennedy	Bennett	Inhofe		
	Bingaman	Kerrey	Bond	Kassebaum		
	Boxer	Kerry	Brown	Kempthorne		
	Bradley	Kohl	Burns	Kyl		
	Breaux	Lautenberg	Campbell	Lott		
	Bryan	Leahy	Chafee	Lugar		
	Bumpers	Levin	Coats	Mack		
	Byrd	Lieberman	Cochran	McCain		
	Conrad	Mikulski	Cohen	McConnell		
	Daschle	Moseley-Braun	Coverdell	Murkowski		
	Dodd	Moynihan	Craig	Nickles		
	Dorgan	Murray	D'Amato	Pressler		
	Exon	Nunn	DeWine	Roth		
	Feingold	Pell	Dole	Santorum		
	Feinstein	Pryor	Domenici	Shelby		
	Ford	Reid	Faircloth	Simpson		
	Glenn	Robb	Frist	Smith		
	Graham	Rockefeller	Gorton	Snowe		
	Harkin	Sarbanes	Gramm	Specter		
	Heflin	Simon	Grams	Stevens		
	Hollings	Wellstone	Grassley	Thomas		
			Gregg	Thompson		
			Hatch	Thurmond		
			Hatfield	Warner		

think back to the Civil Rights Bill of 1964, which took 103 days to consider in the Senate. In some ways, this bill is even more historic, but it is being disposed of with 1 minute of debate per amendment after only 20 hours of debate in total on the bill. Cloture is nothing compared with this limitation. We hope Senators will consider the damage that is being done to this deliberative body by this tight limit on debate, if not on this amendment, at least in the future.

Those opposing the motion to waive contended:

We are not considering this bill in a 20-hour timeframe. The main provisions of this reconciliation bill have been under development and have been the subject of intensive debate this year. Some of the provisions have been debated for years and even decades. Most of the amendments that we are voting on have in fact been debated, offered, and defeated on previous measures. The truth is that all an extension of time would do is introduce even more delay into the process. The reason for enacting time limits in the first place was the understanding that either party may be tempted to engage in delaying tactics to prevent ever reaching a final vote on legislation to make major changes in the Federal Government's tax-and-spending policies. Sometimes even the Senate should stick to the point and take action. It is for that reason, of course, that the Byrd rule was enacted. It is with some reluctance that we must note for the Senator that his amendment violates the very rule which he prevailed upon the Senate to enact. We agree with that rule, and must therefore oppose this amendment.